REMARKS

Claims 1-67 were pending in the patent application at the time the final Office Action was mailed. Claims 1, 11, 19, 28, 36, and 47 are amended by this response. Claims 45 and 54 are canceled by this response and no claims are added by this response. Accordingly, claims 1-44, 46-53, and 55-67 remain pending.

The Office Action rejected claims 1-67 under 35 U.S.C. § 103(a) as being unpatentable over U.S. patent No. 6,232,971 ("Haynes") in view of U.S. Patent No. 5,487,143 ("Southgate"). Applicant respectfully traverses these rejections and requests reconsideration of the pending claims in light of the following response.

A. Telephonic Interview

Applicant's representative thanks the Examiner for the telephonic interview completed on February 8, 2006. During that telephonic interview, the parties discussed differences between applicant's technology and the applied references. Applicant has amended some of the independent claims to further distinguish his technology from the applied references. Additional details are provided below. Should the Examiner need further information relating to the telephonic interview, she is asked to contact the undersigned.

B. Haynes

Haynes teaches a technique for providing variable-modality child windows. "'Modality' refers to the level of interaction allowed when a child window has been opened." (Haynes, 2:11-12.) Conventionally, a child window can be modal or modeless. When a child window prevents a user from interacting with another window (e.g., a parent window), the child window is said to be modal. In contrast, when a child window does not prevent a user from interacting with another window, the child window is said to be modeless. Haynes introduces the concept of partially modeless windows. When a child window is

partially modeless, the user is "permitted to interface with only some of the functions on the other windows on the desktop while the child window is open." (Haynes, 4:33-35.)

C. Southgate

Southgate teaches a technique for providing tiled and overlapped window areas. Conventionally, windows of an application can be either tiled or overlapped, but generally not both. When windows are tiled, "each window is adjacent to other windows that may exist on the screen." (Southgate, 3:1-3.) When windows are overlapped, a window may obscure portions or an entirety of another window that appears "behind" or "below" it. Southgate introduces a window management technique that provides both tiled and overlapped windows in an application "by providing two separate areas on the display screen. The first area is the traditional overlapped window area where windows are handled as with traditional GUIs. The second area is the 'tiled' area where windows are not allowed to overlap." (Southgate, 26-30.) Southgate's Figure 7, which is reproduced below for immediate reference, illustrates this technique.

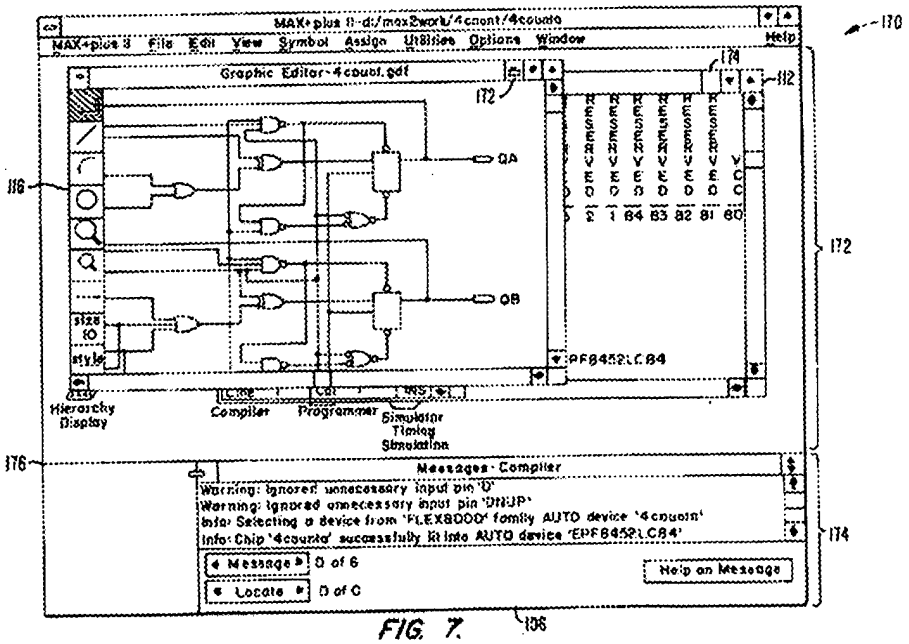

FIG. 7.

Southgate's Figure 7

The figure illustrates an overlapped window area 172 and a tiled window area 174.

D. Applicant's Technology

Applicant's technology is directed to managing screen real estate in an application's window. The application employs modeless windows that are displayed in a client area of the application's window. The modeless windows can be anchored, such as to an edge of the client area or application window. (See, e.g., applicant's specification at 4:22-24 and anchored windows 520 and 530 in applicant's Figure 8, which is reproduced below for immediate reference.) When a modeless window is anchored, it may be in various states, such as collapsed (e.g., window 530) or open (e.g., window 520). (See also applicant's specification at 6:29.) An anchored window can be pinned open or not pinned. An anchored window that is not pinned in the open state will automatically return to its collapsed state when input is received that is not near or within the anchored window. (See, e.g., applicant's specification at 7:4-6.) Conversely, when input is received that is near an anchored window that is collapsed, the collapsed modeless window automatically opens. (See, e.g., applicant's specification at 7:6-7.)

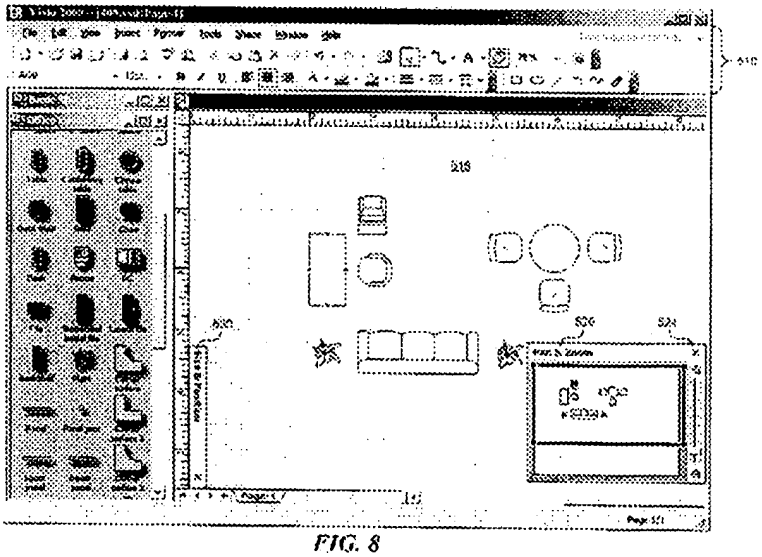

FIG. 8

Applicant's Figure 8

E. Analysis

Applicant is unable to find several elements of the rejected independent claims in the applied references. Nevertheless, to expedite prosecution and early allowance, applicant has amended some of the rejected independent claims to more particularly claim his technology without conceding the merits of the Office Action's rejections.

1. "Submerged" windows are not equivalent to a "collapsed" windows because they do not automatically collapse or expand

According to the Office Action, Haynes' "submerged" window is equivalent to applicant's "collapsed" window. (Office Action, Page 3.) There are several differences between Haynes' submerged window and applicant's collapsed window. As an example, when a window is collapsed, an identifier of the window is visible (e.g., its title) and the window automatically expands (e.g., "opens") to its regular size when input is received that is proximate to the collapsed window. An example of such an input is a mouse operation. When a user drags a mouse pointer near a collapsed window, the collapsed window automatically expands to its full size. The window then collapses when input is received that is not proximate to or within the modeless window, such as when the user drags the mouse pointer away from the open anchored window or clicks in the open document. In contrast, Haynes does not teach automatically surfacing (e.g., expanding) a submerged window or automatically submerging (e.g., collapsing) the window. Conventionally, a user provides input corresponding directly to the window that is to be surfaced or submerged, such as by clicking on a button on the window's title bar or within the window, or by selecting a menu command. As another example, applicant's collapsed window appears "above" a document window with which it is associated, as is illustrated above in applicant's Figure 8. In contrast, a Haynes' "submerged" window appears below the document window in Haynes' technique. (See Haynes' claims 4, 11, 17, and 6:32-35.) Thus, Haynes' submerged window is not equivalent to applicant's collapsed window. Applicants can find no related concept in Southgate.

Independent claims 1 and 11 now recite "when the modeless window is in the collapsed state and user input is received proximate to the collapsed modeless window... expanding the collapsed modeless window so that it is in an open state and anchored to the edge of the document window." This feature is neither taught nor suggested by the applied references. Thus, independent claims 1 and 11 are not obvious.

The Office Action also appears to employ the incorrect position that a submerged window is equivalent to a collapsed window to reject independent claims 36 and 47. (See Office Action, Pages 9 and 10.) As is described above, a submerged window is different from a collapsed window. Nevertheless, applicants have amended independent claims 36 and 47 to more clearly define their invention. These independent claims now recite "collapsing the modeless window such that a title bar is displayed when user input selects a display position of the document window that is not near the modeless window and the collapsed modeless window is expanded when user input selects a display position of the document window that is near the modeless window." This feature is neither taught nor suggested by the applied references. Thus, independent claims 36 and 47 are not obvious.

2. The applied references neither teach nor suggest moving a first modeless window when a second modeless window moves

Claims 19 and 28 recite "moving a present location of the first modeless window if a document movement command from a user is received that causes the second modeless window to be moved to a position which would overlap a preferred location of the first modeless window." This behavior is described in the applicant's specification, e.g., at 12:25-14:5. The Office Action appears to equate this functionality with moving windows from Southgate's overlapped window area to the tiled window area and points to Southgate, columns 8-10. (See Office Action, page 7.) In applicant's technology, when a modeless window is moved to a position that would overlap another modeless window, the technology moves the other modeless window such that the two modeless windows do not overlap. In contrast, Southgate's technique only relates to moving a window from an

overlapped area (in which windows may overlap) to a tiled area (in which windows may not overlap). This does not involve moving a first window when a user moves a second window. Southgate neither teaches nor suggests moving a tiled widow and thereby causing another tiled window to move. Haynes also does not teach or suggest such a feature. Thus, the applied references neither teach nor suggest "moving a present location of the first modeless window if a document movement command from a user is received that causes the second modeless window to be moved to a position which would overlap a preferred location of the first modeless window." Thus, independent claims 19 and 28 are not obvious.

Claims 19 and 28 are amended to correct typographical errors.

3. The Office Action has not established a prima facie case of obviousness for claims 55, 60, and 67

According to the Office Action, claims 55 and 60 are "rejected under the same rationale used in claim 19." (Office Action, Page 10.) These independent claims recite features that are not found in claim 19. As an example, claims 55 and 60 recite "anchoring the first modeless child window in a position that does not interfere with the preferred location of the second modeless child window," but claim 19 does not. "To establish prima facie obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art." (M.P.E.P. § 2143.) Because claim 19 does not have all claim limitations found in claims 55 or 60, these claims were improperly rejected.

The Office Action rejected claim 67 "in light of the rationale used in claims 60 and 62." (Office Action, Page 12.) Claim 60 was improperly rejected, as is discussed immediately above. Claim 62 does not recite all additional features found in claim 67 that are not in claim 19. As an example, claim 67 recites "child window anchored to the edge of the document window." Because claims 19 and 62 do not have all claim limitations found in claim 67, this claim was improperly rejected.

Furthermore, 35 U.S.C. § 132 "is violated when a rejection is so uninformative that it prevents the applicant from recognizing and seeking to counter the grounds for rejection."[1] Chester v. Miller, 906 F.2d 1574, 1578, (Fed. Cir. 1990). Thus, the Office Action has not established a prima facie case of obviousness for claims 55, 60, and 67.

4. Claim 66 is not obvious

The Office Action rejected claim 66 "in light of the rationale used in claim 1 and 19." (Office Action, Page 12.) Claim 66 recites "determines a preferred position of the modeless child window based upon a size of its open state even when the modeless child window is in a collapsed state." As is discussed above, neither Haynes nor Southgate teaches a concept of collapsed windows. According to the Office Action, "window sizes are automatically adjusted within predefined limits" in Southgate. (Office Action, Page 3.) Southgate describes this feature as follows:

> At step 204 minimum, maximum and natural sizes are assigned to each child window that could appear during the execution of the application program. This can be predetermined within the application program itself as defined by the human programmer of the application program, or can be assigned by the operating system as the child windows are opened. In the latter method, the operating system assigns default values to most windows. Another possibility is that the operating system would make an educated guess as to the minimum, maximum and natural sizes for the window based on the type of window and the information it displays, e.g., text, graphics, etc.

(Southgate, 7:31-42.) According to Southgate, window positions are determined when they are opened or are pre-assigned. There would be no need to determine a window position for a closed window. There is no teaching or suggestion that a preferred position

[1] "Whenever, on examination, any claim for a patent is rejected, . . . the Director shall . . . stat[e] the reasons for such rejection, or objection or requirement . . . ." 35 U.S.C. § 132(a) (1988).

for a collapsed window is determined based upon a size of the window in its open state, as is recited by claim 66. Thus, claim 66 is not obvious in view of the applied references.

F. Conclusion

Because the applied references neither teach nor suggest the features discussed above, the independent claims cannot be rejected under 35 U.S.C. § 103(a). Because the dependent claims import the limitations from the claims on which they depend, they also cannot be rejected under 35 U.S.C. § 103(a). Moreover, the claims recite a novel combination of elements that is neither taught nor suggested by the applied references.

Based on the above amendments and remarks, applicants respectfully request reconsideration of this application and its early allowance. If the Examiner has any questions or believes a telephone conference would expedite prosecution of this application, the Examiner is encouraged to call the undersigned at (206) 359-6478.

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